



Permit No. WA0040967
Issuance Date: March 4, 2003
Effective Date: July 1, 2003
Expiration Date: June 30, 2008
Modification Date: June 23, 2003

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

**Time Oil Co. Property #01-115/122
Handy Andy No. 8
Leaking Underground Storage Tank (LUST)
Remediation Site**

**P.O. Box 24447 (Terminal Station)
Seattle, WA 98124-0447**

Industry Location:

3314 NE 44th Street
Vancouver, WA

Receiving Water:

Burnt Bridge Creek

Water Body I.D. No.:

WA-28-1040

Discharge Location:

Latitude: 45° 39' 04" N
Longitude: 122° 38' 26" W

Industry Type:

Gasoline Service Station
Ground Water Recovery and Remediation System

Time Oil Co. is authorized to discharge in accordance with the special and general conditions which follow.

Original signed by:
Rebecca Lawson, P.E.
Section Manager
Toxics Cleanup Program
Southwest Regional Office
Washington State Department of Ecology

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I. SUMMARY OF SUBMITTALS

<u>Permit Section</u>	<u>Submittal</u>	<u>Frequency</u>	<u>First Submittal Date</u>
S3 A.	Discharge Monitoring Report	Quarterly	28 days from the end of the 3 rd quarter of 2003
S4 C.	Solid Waste Plan Updates		30 days from date of substantial modification to treatment facility
S5	Outfall Evaluation	Quarterly	28 days from the end of the 3 rd Quarter of 2003
S6	Spill Plan Update		30 days from date of substantial modification to treatment facility

II. SPECIAL CONDITIONS**S1. EFFLUENT LIMITATIONS****A. Effluent Limitations**

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge treated groundwater at the permitted location subject to meeting the following limitations:

OUTFALL No. 001		EFFLUENT LIMITATIONS	
<u>Parameter</u>		<u>Average Monthly^a</u>	<u>Daily Maximum^b</u>
Flow (gpd)		122,400 gpd	129, 600 gpd
pH (S.U.)		Between 6.0 and 9.0 standard units	
Benzene (µg/L) ^c		5.0	5.0
BETX (µg/L)		100	100
TPH-G (µg/L)			
W/detectable Benzene	800		800
W/O detectable Benzene	1,000		1,000

^aThe average monthly is defined as the average of the measured values obtained over a calendar month's time.

^bThe daily maximum is defined as the maximum allowable discharge for a calendar day. The daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

^cThe method detection level (MDL) for benzene is 0.2 µg/L using gas chromatography with a photoionization detector and method number 602 from 40 CFR Part 136. The quantitation level (QL) for benzene is 1 µg/L (5 x MDL). This QL will be used for assessment of compliance with these effluent limits. If the Permittee is unable to attain the MDL and QL in its effluent due to matrix effects, the Permittee shall submit a matrix specific MDL and QL to the Department by (nine months after issuance). The matrix specific MDL and QL shall be calculated as follows:

$MDL = 3.14 \times (\text{standard deviation of 7 replicate spiked samples})$. This corresponds to the calculation of the method detection limit, as defined in 40 CFR Part 136, Appendix B, with the provision that the MDL be calculated for a specific effluent matrix.

The QL = 5 x MDL

B. Mixing Zone Description

The maximum boundary of the mixing zone is defined as follows:

The mixing zone shall not extend in a downstream direction for a distance from the discharge port(s) greater than three hundred feet plus the depth of water over the discharge port(s) or extend upstream for a distance of over one hundred feet. It will not utilize greater than twenty-five percent of the flow and not occupy greater than twenty-five percent of the width of the water body.

S2. TESTING SCHEDULE

The Permittee shall monitor the wastewater according to the following schedule:

<u>Tests</u>	<u>Sample Point</u> ¹	<u>Sampling Frequency</u> ²	<u>Sample Type</u>
Flow	Influent Final Effluent	1/quarter 1/quarter	Totalizing Flow Recorder
pH	Final Effluent	1/quarter	Grab
Benzene	Influent Final Effluent	1/quarter 1/quarter	Grab Grab
BETX ³	Influent Final Effluent	1/quarter 1/quarter	Grab Grab
TPH-G ⁴	Influent Final Effluent	1/quarter 1/quarter	Grab Grab
Total Lead ⁵ (ppb)	Final Effluent	1/quarter	Grab
Chlorine (Total residual) ⁶ (ppm)	Final Effluent	1/quarter	Grab

¹The influent sample point is defined as the nearest accessible point prior to entrance into the treatment system and the final effluent sample point is defined as the nearest accessible point after final treatment

and prior to actual discharge or mixing with other flows. Effluent sampling shall coincide with influent sampling based on resident time of wastewater in the treatment system such that treatment system effectiveness can be evaluated.

²In the event of any noncompliance with effluent limitations, the frequency shall return to once (1)/month until 12 months of compliance is demonstrated.

³BETX shall be measured as the sum of Benzene, ethylbenzene, toluene, and xylenes using EPA Method 8020 or approved equivalent method(s).

⁴TPH-G (Total Petroleum Hydrocarbons, gasoline-range) shall be measured using Ecology method NWTPH-G.

⁵Total Lead shall be measured using EPA Method 239.2 or an equivalent EPA approved method and which achieves a detection level at or below 1 ppb.

⁶Residual chlorine shall be measured using EPA Method 330 1.1. Time Oil Co. can cease testing for total residual chlorine after meeting four (4) quarters of non-detect test results. Time Oil Co. has already met this requirement by testing for total residual chlorine in the year beginning July 2002 and results for total residual chlorine were non-detect for all four quarters beginning July 2002 and ending June 2003.

S3. MONITORING AND REPORTING

The Permittee shall monitor and report in accordance with the following conditions.

A. Reporting

Monitoring shall be started on the effective date of the permit whenever a discharge occurs. Monitoring results obtained during the previous quarter¹ shall be summarized and reported in a form approved by Ecology, to be received no later than the 28th day of the month following the completed reporting period, unless otherwise specified in this permit. The report(s) shall be sent to the Department of Ecology, attention: Permit Coordinator, Southwest Regional Office P.O. Box 47775, Olympia, Washington 98504-7775. Monitoring results obtained during the quarter shall be submitted no later than the 28th day of the following month.

B. Records Retention

The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

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¹ Quarters are defined as: 1st quarter as January, February, March; 2nd quarter as April, May, June; 3rd quarter as July, August, September; and 4th quarter as October, November, December.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Representative Sampling

Samples and measurements taken to meet the requirements of this condition shall be representative of the volume and nature of the monitored discharge, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

E. Test Procedures

All sampling and analytical methods used to meet the monitoring requirements specified in this permit shall conform to the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136, unless otherwise specified in this permit or approved in writing by the Department.

F. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations or at a minimum frequency of at least one calibration per every three years. Calibration records should be maintained for a minimum of three years.

G. Laboratory Accreditation

All monitoring data, except for flow, temperature, settleable solids, conductivity, pH, and internal process control parameters, shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by the Department.

H. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit (S2.) using test procedures specified by Condition S3.E. of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

I. Signatory Requirements

All applications, reports, or information submitted to Ecology shall be signed and certified.

1. All permit applications shall be signed by either a principal executive officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
2. All reports required by this permit and other information requested by Ecology shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to Ecology, and
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
3. Changes to authorization. If an authorization under paragraph I.2.b is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of I.2.b must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations."

S4. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Solid Waste Control Plan

The Permittee submitted a solid waste control plan to Ecology on May 25, 1994. This plan included all solid wastes with the exception of those solid wastes regulated by Chapter 173-303 WAC (Dangerous Waste Regulations). The plan included a description, source, generation rate, and disposal methods of these solid wastes. The solid waste control plan was updated in June 2001 to reflect changes made with the modification of the treatment system completed in December 2000.

The solid waste control plan shall be updated whenever substantial modifications are made to the facility. The plan and any supplements shall be followed throughout the term of the permit. Any proposed revision or modification of the solid waste handling plan must be submitted to Ecology. The Permittee shall comply with the plan and any modifications thereof. Management of solid waste shall not be at variance with local requirements.

S5. OUTFALL EVALUATION

The Permittee shall inspect the submerged portion of the outfall line to document its integrity and continued function. An inspection report shall be submitted to Ecology along with quarterly monitoring reports.

S6. SPILL PLAN

The Permittee submitted a spill plan to Ecology on May 25, 1994 and updated the plan in June 2001 after the completion of modifications made to the treatment system in December 2000. This spill control plan included strategies for the prevention, containment, and control of spills or unplanned discharges of: 1) oil and petroleum products, 2) materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or 3) other materials which may become pollutants or cause pollution upon reaching state's waters.

The spill plan was updated June 2002 to include management of calcium hypochlorite tablets. The spill plan shall be updated whenever substantial modifications are made to the facility. The plan and any supplements shall be followed throughout the term of the permit.

S7. TREATMENT SYSTEM OPERATING PLAN

The wastewater treatment system shall be operated according to procedures and criteria described in the approved operating plan which was approved by Ecology February 2000.

III. GENERAL CONDITIONS

G1. Discharge Violations

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any pollutant more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

G2. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control.

G3. Reduced Production for Compliance

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G4. Non-Compliance Notification

If for any reason, the Permittee does not comply with, or will be unable to comply with, any of the discharge limitations or other conditions specified in the permit, the Permittee shall, at a minimum, provide the Department with the following information:

- A. A description of the nature and cause of non-compliance, including the quantity and quality of any unauthorized waste discharges;
- B. The period of non-compliance, including exact dates and times and/or the anticipated time when the Permittee will return to compliance; and
- C. The steps taken, or to be taken, to reduce, eliminate, and prevent recurrence of the non-compliance.

In addition, the Permittee shall take immediate action to stop, contain, and clean up any unauthorized discharges and take all reasonable steps to minimize any adverse impacts to waters of the state and correct the problem. The Permittee shall notify the Department by telephone so that an investigation can be made to evaluate any resulting impacts and the corrective actions taken to determine if additional action should be taken. In the case of any discharge subject to any applicable toxic pollutant effluent standard under Section 307(a) of the Clean Water Act, or which could constitute a threat to human health, welfare, or the environment, 40 CFR Part 122 requires that the information specified in Sections G4.A., G4.B., and G4.C., above, shall be provided not later than 24 hours from the time the Permittee becomes aware of the circumstances. If this information is provided orally, a written submission covering these points shall be provided within five days of the time the Permittee becomes aware of the circumstances, unless the Department waives or extends this requirement on a case-by-case basis.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the conditions of this permit or the resulting liability for failure to comply.

G5. Bypass Prohibited

The intentional bypass of wastes from all or any portion of a treatment works is prohibited unless the following four conditions are met:

- A. Bypass is: (1) unavoidable to prevent loss of life, personal injury, or severe property damage; or (2) necessary to perform construction or maintenance-related activities essential to meet the requirements of the Clean Water Act and authorized by administrative order;
- B. There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, maintenance during normal periods of equipment down time, or temporary reduction or termination of production;
- C. The Permittee submits notice of an unanticipated bypass to the Department in accordance with Condition G4. Where the Permittee knows or should have known in advance of the need for a bypass, this prior notification shall be submitted for approval to the Department, if possible, at least 30 days before the date of bypass (or longer if specified in the special conditions);
- D. The bypass is allowed under conditions determined to be necessary by the Department to minimize any adverse effects. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

After consideration of the factors above and the adverse effects of the proposed bypass, the Department will approve or deny the request. Approval of a request to bypass will be by administrative order under RCW 90.48.120.

G6. Right of Entry

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;
- B. To have access to and copy at reasonable times any records that must be kept under the terms of the permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the permit;

- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G7. Permit Modifications

The Permittee shall submit a new application or supplement to the previous application where facility expansions, production increases, or process modifications will (1) result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants, or (2) violate the terms and conditions of this permit.

G8. Permit Modified or Revoked

After notice and opportunity for public hearing, this permit may be modified, terminated, or revoked during its term for cause as follows:

- A. Violation of any terms or conditions of the permit;
- B. Failure of the Permittee to disclose fully all relevant facts or misrepresentations of any relevant facts by the Permittee during the permit issuance process;
- C. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge controlled by the permit;
- D. Information indicating that the permitted discharge poses a threat to human health or welfare;
- E. A change in ownership or control of the source; or
- F. Other causes listed in 40 CFR 122.62 and 122.63.

Permit modification, revocation and reissuance, or termination may be initiated by the Department or requested by any interested person.

G9. Reporting a Cause for Modification

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation and reissuance under Condition G8 or 40 CFR 122.62 must report such plans, or such information, to the Department so that a decision can be made on whether action to modify or revoke and reissue a permit will be required. The Department may then require submission of a new application. Submission of such application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G10. Toxic Pollutants

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the Department shall institute proceedings to modify or revoke and reissue the permit to conform to the new toxic effluent standard or prohibition.

G11. Plan Review Required

Prior to constructing or modifying any wastewater control facilities, detailed plans shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Facilities shall be constructed and operated in accordance with the approved plan.

G12. Other Requirements of 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. Compliance With Other Laws and Statutes

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G14. Additional Monitoring

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G15. Revocation for Non-Payment of Fees

The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G16. Removed Substances

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G17. Duty to Reapply

The Permittee must reapply, for permit renewal, at least 180 days prior to the specified expiration date of this permit.